PAGE 01

FAX TRANSMISSION

Total number of pages: 30

Date:

April 09, 2005

To:

Assistant Commissioner for Patents

Washington, DC 20231

Attn:

Centralized Fax (703) 872-9306 Attn: Shahid Al-Alam, Art Unit 2172

File Missing Parts (703) 746-4060

Board of Patent Appeals (703) 305-0942

From:

Haim Melman / Inventor

S/N: 09/398,289

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Haim Zvi Melman

Examiner:

Shahid Al Alam

Serial No.: 09/398,289

Group Art Unit:

2172

Filed:

September 20, 1999

Fax:

Title:

APPARATUS AND METHOD FOR SEARCH AND RETRIEVAL OF DOCUMENTS

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Haim Zvi Melman

Examiner:

Shahid Al Alam

APR 0 9 2005

Serial No.: 09/398,289

Group Art Unit:

2172

Filed:

September 20, 1999

Fax:

Title:

APPARATUS AND METHOD FOR SEARCH AND RETRIEVAL OF DOCUMENTS

Date:

April 08, 2005

To:

Assistant Commissioner for Patents

Washington, DC 20231

Attn:

Examiner

File Missing Parts

Board of Patent Appeal

From:

Haim Melman / Inventor

Subject:	Missing Documents
Dubject.	111130Mg DOCUMENTS

Dear Sir,

Following the retrieval of USPTO file of Patent Application 09/398,289 and comparing to my own file, quite few documents were noted as missing.

Five documents that are missing from the USPTO file are attached here. Please incorporate them into the USPTO file.

One missing document in Applicant file is a Notification of Non-Compliance With 37 CFR 1.192(c) mailed 03/16/2004.

Following is a detailed reference to these documents:

List of documents missing from USPTO file:

1. Date: June 21, 2002

Title: Change of Correspondence Address – Application Summary: A request for correspondence address change

2. Date: March 13, 2003 Title: Appeal Brief

Summary: Re-informing Mr. Al-Alam that a brief was faxed to USPTO on

February 11, 2003

3. Date: November 23, 2003

Title: Memorandum

Summary: Indicating no response from Mr. Al-Alam to the Inventor's

communications

4. Date: September 18, 2004

Title: Memorandum

Summary: Indicating no response to the Inventor's communications

5. Date: October 30, 2004
Title: Memorandum

Summary: Indicating no response to the Inventor's communications

The documents are marked with the above ordinal numbers for convenience and are completed with fax delivery confirmation.

Please add the attached documents to the USPTO file

Missing Document in Inventor's file:

1. Date: March 16, 2004

Title: Notification of Non-Compliance With 37 CFR 1.192(c) Summary: Response to Appeal Brief filed on February 11, 2003.

Inventor's remarks:

- 1. The Inventor's Appeal Brief was filed on February 11, 2003
- 2. On April 1, 2003 the Examiner sent a Notice of Non-Compliance noting mainly that the Appeal Brief does not contain items per 37 CFR 1.192(c).

- 3. On May 11, 2003 The Inventor responded to the Notice of Non-Compliance The response referred mainly to 37 CFR 1.192(c) indication that reply by the inventor pro se does not require the inclusion of items under 37 CFR 1.192(c). Exact reference was provided with this reply.
- 4. The May 11, 2003 response never received a reply by the Examiner in spite of many status requests (some of them are in USPTO file and some are not and are attached here).
- 5. On March 16, 2004, 10 months after the Inventor's response to the first Notice of Non-Compliance, the Examiner sent another Notice of Non-Compliance.
 - a. This March 16, 2004 Notice of Non-Compliance is a replica of the April 1, 2003 sent 11 months before.
 - b. The new notice ignores the arguments sent by the Inventor on May 11, 2003 relating to the same points. The May 11, 2003 response arguments, therefore, seems to be valid also for the new Notice of Non-Compliance.
- 6. If the Appeal Brief is still in any fault, The Inventor would appreciate a reply to the arguments faxed on May 11, 2003, for which the Inventor requested reply in many communications before.

Sincerely,

Haim Melman / Inventor

Mr. ein

09-7679693



Under the Paperwork Roduction Act	of 1995, no persons are required to	U.S. Palent of respond to a collection	and Trademerk Office	PTO/SB/122 (10-01) a through 10/31/2002. OMB 0651-0033 b: U.S. DEPARTMENT OF COMMERCE s til displays a valid OMB control number.
		Application Num		09/392,289
1	CHANGE OF		· · · · · · · · · · · · · · · · · · ·	20 SEP 1999
CORRESPONDE		Filing Date First Named Inv	entor	HAIM ZVI MELMAN
Applic	auon	Art Unit		2172.
Address to: Assistant Commissioner for	Patents	Examiner Name		SHAID AL ALAM
Washington, D.C. 20231		Attorney Docket N	lumber	
Please change the Comto: Customer Nu	espondence Address for tumber Type Customer Nur.		ied application	Place Customer Number Bar Code Label here
Firm or Individual Name	INFOBIT, LTD	· , ATTN	: HAIM	MELMAN
Address	P.O. BOX 134	1		
Address				
City	KFAR - SABA	Stat	ISRAEL	ZIP 44113
Country				
Telephone	+972 9 745 3	376	Fax +972	29 743 7862
data associated with a	This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing. Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).			
Applicant/In	ventor.			
1 1 · ·	record of the entire interender 37 CFR 3.73(b) is e		PTO/SB/96).	
Attorney or A	Agent of record.			
Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number				
Typed or Printed Name #AIM	ZVI MELN	Nev		
Signature	(110) מא	<u> </u>	Total day.	
Date 21 JUNE	= 2002			
NOTE: Signatures of all the Invent forms if more than one signature is		e entire interest or th	eir representative(s) are required. Submit multiple
Total of forms	are submitted.			

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will very depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Tradement Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED CENTRAL FAX CENTRE

APR 0 9 2005

Applicant:

H.Melman

Examiner:

S. Al Alam

Serial No.:

09/398,289

Group Art Unit:

2172

Filed:

20 September 1999

Fax:

(703) 746-7238

(703) 746-7239

Title:

APPARATUS AND METHOD FOR SEARCH AND RETRIEVAL OF

DOCUMENTS

APPEAL BRIEF

Assistant Commissioner for Patents Washington, DC 20231

13 March 2003

Dear Sir:

I have just received your letter sent on 10 February 2003.

An Appeal Brief was faxed to you on 11 February 2003.

Unless I am otherwise notified I assume this brief is acceptable for the appeal.

Sincerely,

Haim Melman / Inventor.

TRANSMISSION VERIFICATION REPORT

TIME: 03/13/2009 10:00

DATE, TIME FAX NO./NAME DURATION PAGE(S) RESULT MODE

83/13 10:00 81317037457238 80:00:22 81 0K STANDARD ECM

TRANSMISSION VERIFICATION REPORT

TIME: 03/13/2003 10:13

DATE, TIME FAX NO. /NAME DURATION PAGE(S) RESULT MODE 09/13 10:12 01317037457239 00:00:24 01 OK STANDARD ECM





UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON, D.C. 20231

				,	
APPLICATION NO.	FILINGE	ATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION N
09/398,289	09/20/1	999	HAIM ZVI MELMAN		9873
7	1590	02/10/2003			
Haim Melma	n			IMAXS	NER
3 Hagai St. Kfar-Saba, 44335 ISRAEL				ALAM, SH	AHID AL
ISKAEL				ART UNIT	PAPER NUMBER
				2172	
				DATE MAILED: 02/10/2003	•

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)



UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS
Weshington, D.C. 20231

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION		ATTORNEY DOCKET NO.
				EXAMINER
			ART UNIT	PAPER
				20

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

This letter is for your information only. You need to find an attorney who can help you to prepare for an Appelant brief. You may wish to review Chapter 1200 in the USPTO MPEP at http://www.uspto.gov/web/offices/pac/mpep/documents/1200.htm.

SMAHID AL ALAM PATENT EXAMPLER

PTO-900 (Rev.3-88)



09-7679693

PATENT APPLICATION

RECEIVED CENTRAL FAX CENTER

APR 0 9 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Haim Zvi Melman

Attention:

Kim Y. Vu

Jean M. Corrielus

Serial No.:

09/398,289

Group Art Unit:

2172

Filed:

September 20, 1999

Fax:

(703) 746-7238

(703) 746-7239

Title:

APPARATUS AND METHOD FOR SEARCH AND RETRIEVAL OF

DOCUMENTS

Memorandum

Assistant Commissioner for Patents Washington, DC 20231

November 23, 2003

Dear Sir or Madam:

This fax is directed to you as I ceased to receive any responses to my communication from Mr. Shahid Al Alam following my filing of an appeal.

Could you please help me in this matter to get the file on track and handled as required.

Allow me please to present the role of events:

9/27/1998	Patent application 126373 filed in the Israeli Patent Office
9/3/1999	I sent a request to file a patent application in USPTO with the Israeli priority date
9/20/1999	Application was filed in the USPTO as 09/398,289
2/17/2000	Following a trip for one year to the USA I assigned the power of attorney to Eitan,
	Pearl, Latzer & Cohen-Zedek to follow-up on the application while I was away

	from my correspondence address in Israel.
8/28/2001	Office action from Mr. Shahid Al Alam was sent to Eitan, Pearl, Latzer & Cohen-Zedek.
11/23/2001	I was back in Israel and took-over the handling of the application.
	I sent a reply was sent to Mr. Shahid Al Alam stating that I handled the reply myself. The reply disclosed, in details, that the statements presented by Mr. Alam from the references had no ground and were not existing in the references. Mr. Alam was requested to allow the claim accordingly.
4/10/2002	A final office action from Mr. Shahid Al Alam was sent to Eitan, Pearl, Latzer & Cohen-Zedek.
6/20/2002	I had an interview with Mr. Alam where he stated, for example, that a claim 1 can not be accepted as it is too broad and is also omnibus.
	I could not understand a "too broad" as a basis for rejecting a claim. Also, I could not see that any claim was omnibus. The interview did not provide any insight to the office action.
7/9/2002	A reply to the offices action was faxed to Mr. Alam.
	The reply presented in details that Mr. Alam misquoted from the references and presented it in a misleading interpretation enabled by misquoting.
	The record of the interview of 6/20/2002 was attached to the reply.
	A reference was made to USPTO definition of omnibus to show there was no ground for Mr. Alam to present claim 1 as omnibus.
8/23/2002	Change of Address was filed representing myself for correspondence matters.
10/9/2002	Appeal forms submitted
10/24/2002	Message sent to myself: A notice of Appeal was filed 10/9/2002
2/10/03	Mr. Alam send a notice to myself suggesting to find an attorney to file the Appeal Brief.
2/11/2003	Appeal Brief that I prepared by myself was submitted
4/1/2003	Mr. Alam sent a notification of non-compliance of the Appeal Brief to Eitan, Pearl.

May I mention also that another patent application 09/492,863 examined by Mr. Alam was removed by a Notice of Abandonment mailed 25 September 2002 indicating that applicant failed to reply to the office action mailed on 31 January 2002.

I proved that I faxed a reply on time: 3 April 2002. I sent the reply to two fax numbers 703-746-7239 and 703-308-6606 and the abandonment was canceled. Mrs. Lesley Wong found the faxes in place on USPTO computers at now time. Yet, none of the replies arrived at Mr. Alam's desk enabling an abandonment notice.

My fax number and email address is provided here to enable fast and simple way to deliver any information: +972-9-7679699, haim@infobit.com.

Sincerely,

Haim Melman / Liventor.

0131)[703)746-72393 Pages USPTO | No response to communications 09/398 [23:34:07 | 2003-11-23 00:02:21 | 5 | Ok | 3 Pages | USPTO | No response to communication 09/398 [23:29:27 | 2003-11-23 00:02:35 | 5 | Ok | 2 Pages |



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Haim Zvi Melman

Attention:

John Breene

Peggy Focarino

Serial No.:

09/398,289

Group Art Unit:

2172

Filed:

September 20, 1999

Email:

John.breene@uspto.gov

Margaret.focarino@uspto.gov

Title:

APPARATUS AND METHOD FOR SEARCH AND RETRIEVAL OF

DOCUMENTS

Memorandum

Assistant Commissioner for Patents Washington, DC 20231

September 18, 2004

Dear Madam and Sir:

This letter is directed to you as I failed to receive responses from the examiner Mr. Shahid Al Alam after a long process of unacceptable handling of the patent application (as perceived on my side), including preventing from an appeal to arrive to the appeal committee.

The role of events that has been sent by fax on November 23, 2003, and for which I received no response, is attached here.

May I request your intervention in this file and your help for appropriate handling from stage one.

Sincerely,

Haim Melman,

Inventor.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Haim Zvi Melman

Attention:

Kim Y. Vu

Jean M. Corrielus

Serial No.:

09/398,289

Group Art Unit:

2172

Filed:

September 20, 1999

Fax:

(703) 746-7238

(703) 746-7239

Title:

APPARATUS AND METHOD FOR SEARCH AND RETRIEVAL OF

DOCUMENTS

Memorandum

Assistant Commissioner for Patents Washington, DC 20231

November 23, 2003

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	Pearl, Latzer & Cohen-Zedek to follow-up on the application while I was away
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	ZANON
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	I sent a reply was sent to Mr. Shahid Al Alam stating that I handled the reply
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10/24/2002	Message sent to myself: A notice of Appeal was filed 10/9/2002
2/10/03	Mr. Alam send a notice to myself suggesting to find an attorney to file the Appeal
	Brief.
	Dife.
2/11/2003	Appeal Brief that I prepared by myself was submitted

4/1/2003	Mr. Alam sent a notification of non-compliance of the Appeal Brief to Eitan, Pearl,
	<u>Latzer & Cohen-Zedek</u> instead of myself.
5/11/03	I sent a fax to Mr. Alam indicating to him the lost of time due to sending the non-compliance to the wrong address.
	I also indicated to Mr. Alam that representing myself releases me from the requirement to comply with 37 CFR 1.192(c)
	(http://www.uspto.gov/web/offices/pac/mpep/documents/1200_1206.htm#sect1206)
6/5/2003	A letter was sent from Welsh & Flaxman LLC presenting that Mr. Alam contacted them as being listed as attorney of record in the file (which they did not understand). They wrote me that Mr. Alam
6/16/2003	I wrote Mr. Alam a fax including a Revocation of Power of Attorney form to resolve the new communication halt.
7/29/2003	I faxed a memo to Mr. Alam requesting for response to my 6/16/2003 fax and file status statement.
9/28/2003	I faxed a second memo.
11/23/2003	As of today I received no response.

May I mention also that another patent application 09/492,863 examined by Mr. Alam was removed by a Notice of Abandonment mailed 25 September 2002 indicating that applicant failed to reply to the office action mailed on 31 January 2002.

I proved that I faxed a reply on time: 3 April 2002. I sent the reply to two fax numbers 703-746-7239 and 703-308-6606 and the abandonment was canceled. Mrs. Lesley Wong found the faxes in place on USPTO computers at now time. Yet, none of the replies arrived at Mr. Alam's desk enabling an abandonment notice.

My fax number and email address is provided here to enable fast and simple way to deliver any information: +972-9-7679699, haim@infobit.com.

Sincerely,

Haim Melman / Inventor.

Page 1 of 1

Haim Melman

From:

Haim Melman [haim@infobit.com]

Sent:

שבת 18 ספטמבר 2004 18:51

09-7679693

To:

john.breene@uspto.gov

Čc:

margaret.focarino@uspto.gov

Uti.

Subject: Patent Application 09/398,289 - Handling problems

Tracking: Recipient

nt Read

john.breene@uspto.gov

margaret.focarino@uspto.gov Read: 2004-09-20 13:46

Dear Madam and Sir:

This letter is directed to you as I failed to receive responses from the examiner Mr. Shahid Al Alam after a long process of unacceptable handling of the patent application (as perceived on my side), including preventing from an appeal to arrive to the appeal committee.

The role of events that has been sent by fax on November 23, 2003, and for which I received no response, is attached here.

May I request your intervention in this file and your help for appropriate handling from stage one. Sincerely,

Haim Melman,

Inventor.

Haim Melman

From:

Focarino, Margaret [Margaret.Focarino@USPTO.GOV]

Haim Melman To: Sent:

יום שני 20 ספטמבר 2004 13:46

Subject

Read: Patent Application 09/398,289 - Handling problems

Your message

To: Cc: Breene, John

Focarino, Margaret

Subject: Patent Application 09/398,289 - Handling problems Sent: Sat, 18 Sep 2004 12:50:45 -0400

was read on Mon, 20 Sep 2004 07:46:28 -0400

30 at 2004



TRANSMITAL FAX

S/N: 09/398,289

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Haim Zvi Melman

Attention:

<u>John Breene</u>

Group Art Unit 2167 (517)272-0800

Margaret Focarino

Technology Center 2100 (517)272-4107

Serial No.: 09/398,289

Group Art

Unit:

Filed:

September 20, 1999

To:

Fax: (703) 872-9306

Title:

APPARATUS AND METHOD FOR SEARCH AND RETRIEVAL OF

DOCUMENTS

This fax contains 7 pages + this cover page.

FAXED AGAIN OCTOBER 39200\$

Sent also by amail.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED Central fax center

APR n o 2005

Applicant:

Haim Zvi Melman

Attention:

John Breene

Margaret Focarino

Serial No.:

09/398,289

Group Art

Unit:

Filed:

September 20, 1999

To:

John.breene@uspto.gov

Margaret.focarino@uspto.gov

Fax: (703) 872-9306

Title:

APPARATUS AND METHOD FOR SEARCH AND RETRIEVAL OF

DOCUMENTS

Memorandum

Assistant Commissioner for Patents Washington, DC 2023!

October 30, 2004

Dear Madam and Sir:

On September 18, 2004 I emailed to you the attached email and documents (letter of September 18, 2004 and letter of November 23, 2003).

As of today I received no response to this email.

Please advice on the status of this matter.

May I briefly present my complaint regarding the handling this patent application:

- First office action indicated prior art paragraphs that provided no support whatsoever to examiners rejections. So it was presented to the examiner in my reply.
- The second office action included clearly misleading out-of-context quotes from the same prior art reference. This was presented to the examiner in the reply.

- 3. Since then it seams I face any possible method to exhaust my resources and create a situation of abandonment.
- 4. This seems to reflects also in patent application 09/492,863 handled by the same examiner, where in spite of replying on time to first office action to 2 USPTO fax numbers, the examiner responded with abandonment due to no reply (my reply was easily found in the USPTO and the application was revived).

My situation with these applications with this specific examiner is extremely unusual.

I would greatly appreciate your involvement in this matter.

Sincerely,

Haim Melman.

Inventor

INFOBIT

Page 1 of 1

Halm Melman

From:

Haim Melman [haim@infobit.com]

Sent:

שבת 18 ספטמבר 2004 18:51

To:

john.breene@uspto.gov

Cc:

margaret.focarino@uspto.gov

Subject: Patent Application 09/398,289 - Handling problems

Tracking: Recipient

Read

john.breene@uspto.gov

Read: 2004-09-21 17:50

margaret.focarino@uspto.gov Read: 2004-89-20 13:46

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Haim Zvi Melman

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Serial No.:

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Applicant:

Haim Zvi Melman

Attention:

Kim Y. Vu

Jean M. Corrielus

Serial No.:

09/398,289

Group Art Unit:

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Filed:

September 20, 1999

Fax:

(703) 746-7238

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17/25/2001	
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500000	
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A TI VV	
	Brief.
2/11/2003	Appeal Brief that I prepared by myself was submitted

4/1/2003	Mr. Alam sent a notification of non-compliance of the Appeal Brief to Eitan, Pearl,
	<u>Latzer & Cohen-Zedek</u> instead of myself.
5/11/03	I sent a fax to Mr. Alam indicating to him the lost of time due to sending the non-compliance to the wrong address.
	I also indicated to Mr. Alam that representing myself releases me from the requirement to comply with 37 CFR 1.192(c)
	(http://www.uspto.gov/web/offices/pac/mpep/documents/1200_1206.htm#sect1206)
6/5/2003	A letter was sent from Welsh & Flaxman LLC presenting that Mr. Alam contacted them as being listed as attorney of record in the file (which they did not understand). They wrote me that Mr. Alam
6/16/2003	I wrote Mr. Alam a fax including a Revocation of Power of Attorney form to resolve the new communication halt.
7/29/2003	I faxed a memo to Mr. Alam requesting for response to my 6/16/2003 fax and file status statement.
9/28/2003	I faxed a second memo.
11/23/2003	As of today I received no response.
	I

May I mention also that another patent application 09/492,863 examined by Mr. Alam was removed by a Notice of Abandonment mailed 25 September 2002 indicating that applicant failed to reply to the office action mailed on 31 January 2002.

I proved that I faxed a reply on time: 3 April 2002. I sent the reply to two fax numbers 703-746-7239 and 703-308-6606 and the abandonment was canceled. Mrs. Lesley Wong found the faxes in place on USPTO computers at now time. Yet, none of the replies arrived at Mr. Alam's desk enabling an abandonment notice.

My fax number and email address is provided here to enable fast and simple way to deliver any information: +972-9-7679699, haim@infobit.com.

Sincerely,

Haim Melman / Inventor.